

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
CLERK'S OFFICE

2004 JUN -7 P 2:25

CIVIL ACTION

U.S. DISTRICT COURT
DISTRICT OF MASS

No. 04-cv-10291-RWZ

JOHN F. RICHARDS

Plaintiff,

v.

UMASS.CORRECTIONAL HEALTH
PROGRAM ET;AL,
Defendants.

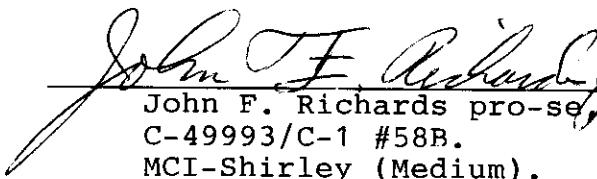
PLAINTIFF'S MOTION FOR DEFAULT AND/OR MOTION TO EXCLUDE THE
DEFENDANT, UMASS.CORRECTIONAL HEALTH PROGRAM FROM FILING ANY
MOTION FOR SUMMARY JUDGEMENT IN THIS MATTER.

Now comes John F. Richards, the pro-se plaintiff in the above captioned matter and moves that this Honorable Court GRANT him this Motion and enter a DEFAULT against the defendant, UMass. Correctional Health Program, and/or exclude the defendant from filing any Motion for summary judgement in the above captioned matter.

As grounds therefore, your plaintiff states that this court set a date of May 30, 2004 for the defendant to file their Motion for summary judgement in this matter, the defendant had requested this time to file said Motion with this court and the court in turn gave them this time period in which to file their motion, the plaintiff has not been served with any Motion from the

defendant, UMass.Correctional Health Program, and he is not aware of any requests for additional time, the plaintiff has waited for the defendants Motion which has yet to be filed and/or served on him at this time, the defendants time period including the (3) three day period for the "mail box rule" has expired and your plaintiff PRAYS that his Motion be GRANTED, and that a DEFAULT be entered against the defendant UMass.Correctional Health Program, or that they be excluded from filing any Motion for a summary judgement in this matter, and that your plaintiff be ALLOWED to move forward and have this case decided on its merits, and that this Honorable Court ORDER the defendant to provide the plaintiff with so much needed medical care, a diagnosis, and a treatment plan for his longstanding injuries which have yet to be diagnosed and/or treated.

RESPECTFULLY SUBMITTED,


John F. Richards pro-se
C-49993/C-1 #58B.
MCI-Shirley (Medium).
P.O.Box-1218/Harvard Road.
Shirley, Massachusetts
01464.

Dated: June 04, 2004.

Susan Jenness
Pro-se Intake Clerk
US District Court for the
District of Massachusetts
1 Courthouse Way., Suite-2300.
Boston, Massachusetts
02210.

FILED
CLERKS OFFICE JUN 04, 2004.
2004 JUN -7 P 2:55
U.S. DISTRICT COURT
DISTRICT OF MASS

Re: Richards v. Mass. Dept. of Corrections et;al,
Civil Action No. 04-cv-10291-RWZ.

Dear Clerk,

Enclosed for filing in the above captioned matter, please find the plaintiff's requests for "Default" and/or Motion to stop the defendant, UMass Correctional Health Program, from filing any Motion and/or request for summary judgement against the plaintiff in this matter.

Justice Zobel in our teleconference on May 05, 2004 gave the defendant, UMass Correctional Health Program, and their attorney until May 30, 2004 to file their Motion for summary judgement in this matter. The justice made this very clear to the defendant and their time to file this Motion has expired. The plaintiff has waited for this Motion which has not yet been filed and/or served to the Plaintiff, the defendants time, including the (3) three day mail box rule has expired at this time and the plaintiff would like to have a default entered against the defendant pursuant to Fed. R. Civ. P. 55(2), or have his Motion heard by the justice presiding over this matter, also enclosed please find the plaintiff's Certificate of Service.

Thank you for all of your time and attention in this matter.

Very Truly Yours,

Enc.

Cc: All Defendants
and Counsel.

John F. Richards pro-se
John F. Richards pro-se
C-49993/C-1 #58B.
MCI-Shirley (Medium).
P.O.Box-1218/Harvard Road.
Shirley, Mass 01464.